



California Regional Water Quality Control Board

Santa Ana Region



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August 13, 2007

David Salazar
San Bernardino Community College District
114 South Del Rosa Drive
San Bernardino, CA 92408

CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS CERTIFICATION FOR CRAFTON HILLS COLLEGE MASTER PLAN: PHASE 1, CITY OF YUCAIPA (ACOE REFERENCE NO. 2007 – 379 – SLP)

Dear Mr. Salazar:

On February 23, 2007, we received an application for Clean Water Act Section 401 Water Quality Standards Certification (Certification), submitted on your behalf by Gonzales Environmental Consulting, LLC for Phase 1 of the Crafton Hills College Master Plan in the City of Yucaipa. This letter responds to your request for certification that the proposed project, described in your application and summarized below, will comply with State water quality standards outlined in the Water Quality Control Plan for the Santa Ana River Basin (1995) and subsequent Basin Plan amendments:

Project Description: Construction of certain elements of Phase 1 of the Crafton Hills Master Plan (Master Plan) consisting of the construction of new roadways, parking, buildings, and infrastructure. These elements are part of an expansion of Crafton Hills College to accommodate 11,470 on-campus students by the year 2025. Phase 1 is intended to accommodate student enrollment through the year 2012 and includes site grading for the project elements described in Table 1 below. Only those elements identified with an asterisk (*) are included in the scope of this Certification. Other project elements are currently unfunded, do not involve discharges of fill subject to federal permits or licenses, and are not proposed for construction at this time.

Phase 2 will accommodate student enrollment through the year 2025 and involves the demolition, construction, and renovation of various buildings; landscaping and lighting improvements; improvements to the athletic fields; and

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parking and utilities improvements. Phase 2 does not involve discharges of fill to waters.

The project is located at Crafton Hills College at 11711 Sand Canyon Drive in the City of Yucaipa. The College is within Sections 32 and 33 of Township 1 South, Range 3 West, of the U.S. Geological Survey *Yucaipa, California*, 7.5-minute topographic quadrangle map (34.03823 degrees N/ - 117.10075 degrees W).

Figure 1: List of Phase 1 Project Elements

Construction of a new Student Center
Construction of a new Emergency Services building
*Construction of a new Learning Resource Center
Construction of the new Humanities Building 1
*Construction of a New Community Recreational Facility
Renovation of Student Services C
Renovation of Occupational Education 1
Renovation of the College Center Bookstore
Library demolition
Occupational Education 2 demolition
*Water, sewer, drainage, irrigation, natural gas, chilled water system, heating hot water system, electric, data & communications, and central plant expansion.
*New surface Parking Lot 1 with 120 spaces, fire access/service Loop Road, and associated landscape and hardscape improvements
Construction of a new 740-space parking structure
Entry-quad roadway and landscaping improvements

Receiving water:

Seven un-named ephemeral drainages, tributary to Oak Glen Creek.



Fill area: 0.36 acres of permanent impact to ephemeral drainages (4,047 linear feet).

Dredge/Fill volume: N/A

Federal permit: U.S. Army Corps of Engineers Nationwide Permit No. 39

You have proposed to mitigate water quality impacts as described in your Certification application and subsequent submittals. The proposed mitigation is summarized below:
Onsite Water Quality Standards Mitigation Proposed:

- Nuisance flow and 'first-flush' discharges from the proposed new Phase 1 structures and roadways will be treated using vegetated swales.
- Porous pavements will be used in new outdoor eating areas.
- Storm water runoff from new plaza areas will be directed to porous landscape areas or grass buffers.
- New trash enclosures will be covered against direct precipitation and isolated from storm water run-on. Storm water runoff from these areas will be contained.
- New outdoor storage and material handling areas will be covered against direct precipitation and isolated against storm water run-on.
- Roof drains from new buildings will be directed into porous landscaped areas and grass buffers.
- Where feasible, and on an opportunistic basis during the course of College expansion, storm water runoff from existing parking lots and their tributary areas will be treated using hydrodynamic separators, wet vaults, or drain inlet filters.
- Additional site-specific best management practices (BMPs) will be specified in final Water Quality Management Plans (WQMP) or functionally equivalent documentation, and in site Storm Water Pollution Prevention Plans (SWPPPs).

Offsite Water Quality Standards Mitigation Proposed:

- An in-lieu fee will be paid to the Santa Ana Watershed Association towards the eradication of 1.80 acres of invasive plant species in the upper Santa Ana River watershed.

Should the proposed project impact state- or federally-listed endangered species or their habitat, implementation of measures identified in consultation with U.S. Fish and Wildlife Service and the California Department of Fish and Game will ensure those impacts are mitigated to an acceptable level. Appropriate Best Management Practices will be implemented to reduce construction-related impacts to Waters of the State. This project is over one acre. Therefore, coverage under the State Water Resources Control Board's General Permit for Storm Water Discharges Associated with Construction Activity, Water Quality Order 99-08 DWQ, is required, as is development of a Storm



Water Pollution Prevention Plan (SWPPP), to control the discharge of pollutants from the project site.

You have applied for a Nationwide Permit from the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act. You have applied for a Streambed Alteration Agreement with the California Department of Fish and Game. Pursuant to the California Environmental Quality Act (CEQA), the San Bernardino Community College District certified an Environmental Impact Report on December 14, 2006. The Executive Officer has considered the District's EIR in the issuance of this Certification.

During the course of review for Certification, Regional Board staff became aware of untreated discharges of process waste water from an equipment wash rack located at the Maintenance Facility. In order to address this discharge, the San Bernardino Community College District has proposed to eliminate the discharge by treating it for re-use. Due to funding source constraints, this work will be completed separate from the proposed College expansion, but will be done by December 2008.

The storm water treatment controls described above were proposed in response to requests from Regional Board staff in order to demonstrate substantial conformance with the San Bernardino County WQMP, prepared in accordance with Regional Board Order No. R8-2002-0012, NPDES Permit No. CAS618036, (Order No. R8-2002-0012) commonly known as the San Bernardino County municipal storm water runoff permit, and subsequent renewals. In Order No. R8-2002-0012, the San Bernardino Community College District is recognized as one of many entities that may discharge urban runoff containing pollutants into municipal storm drainage systems. These recognized entities are expected "to actively participate in implementing the San Bernardino County NPDES Storm Water Program." In addition, the Regional Board, pursuant to 40 CFR 122.26(a), asserted its discretion and authority to require non-cooperating entities to: a) Participate in Order No. R8-2002-0012; b) Obtain coverage under State Board Order No. 2003-0005-DWQ, NPDES General Permit No. CAS000004, "Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems"; or, c) To issue an individual storm water permit.

This 401 Certification is contingent upon the execution of the following conditions:

1. This Certification and any subsequent amendments shall be maintained on site as a denoted element of any project SWPPP.
2. The San Bernardino Community College District shall pay an in-lieu fee will be paid to the Santa Ana Watershed Association towards the eradication of 1.80 acres of invasive plant species in the upper Santa Ana River



watershed. Evidence of the payment shall be provided to the Executive Officer no later than December 8, 2007.

Under California Water Code, Section 1058, and Pursuant to 23 CCR §3860, the following shall be included as conditions of all water quality certification actions:

- (a) Every certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section §13330 of the Water Code and Article 6 (commencing with Section 3867) of this Chapter.
- (b) Certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a FERC license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to Subsection §3855(b) of this Chapter and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- (c) Certification is conditioned upon total payment of any fee required under this Chapter and owed by the applicant.

Although we anticipate no further regulatory involvement, if the above stated conditions are changed, any of the criteria or conditions as previously described are not met, or new information becomes available that indicates a water quality problem, we may formulate Waste Discharge Requirements.

In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.

In response to a suspected violation of any condition of this certification, the Santa Ana Regional Water Quality Control Board (Regional Board) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Board deems appropriate. The burden, including costs, of the reports shall be reasonable in relation to the need for the reports and the benefits to be obtained from the reports.



August 13, 2007

In response to any violation of the conditions of this certification, the Regional Board may add to or modify the conditions of this certification as appropriate to ensure compliance. Pursuant to California Code of Regulations Section 3857, we will take no further action on your application. Please notify our office five (5) days before construction begins on this project.

This letter constitutes a Water Quality Standards Certification issued pursuant to Clean Water Act Section 401. I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of Sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ (Order No. 2003-0017-DWQ), "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received Water Quality Certification" which requires compliance with all conditions of this Water Quality Standards Certification. Order No. 200-0017-DWQ is available at www.swrcb.ca.gov/resdec/wqorders/2003/wqo/wqo2003-0017.pdf

Should there be any questions, please contact Adam Fischer at (951) 320-6363, or Mark Adelson at (951) 782-3234.

Sincerely,


for GERARD J. THIBEAULT
Executive Officer

cc (via electronic mail):

U. S. Army Corps of Engineers, Los Angeles Office – Shannon Pankratz
State Water Resources Control Board, OCC – Erik Spiess
State Water Resources Control Board, DWQ-Water Quality Certification Unit –
John Reynolds and Bill Orme
California Department of Fish and Game, Ontario Office – Jeff Brandt
U.S. EPA, Supervisor of the Wetlands Regulatory Office WTR- 8 – Tim
Vendlinski

